



COUNTY OF SAN DIEGO

Great Government Through the General Management System – Quality, Timeliness, Value
DEPARTMENT OF HUMAN RESOURCES

CLASS SPECIFICATION

CLASSIFIED

LITIGATION INVESTIGATOR

Class No. 003930

SENIOR LITIGATION INVESTIGATOR

Class No. 003933

■ CLASSIFICATION PURPOSE

To conduct pre-trial investigations and discovery in complex and/or significant tort and civil litigation where the county or its officers and employees are a named party; and to perform other related work as required.

■ DISTINGUISHING CHARACTERISTICS

Positions in this class series are allocated only to the Office of County Counsel and are responsible for providing support to County Counsel attorneys and claims personnel by developing and evaluating presentations of factual information and physical evidence and preparing cases through trial proceedings and the settlement of claims.

Litigation Investigator:

This is a journey level class in the Litigation Investigator series. Under direction, the Litigation Investigator is responsible for conducting pre-trial investigations and discovery in tort and civil litigation in support of County Counsel attorneys and claims personnel.

Senior Litigation Investigator:

This is a journey level class in the Litigation Investigator series. Under direction, the Senior Litigation Investigator is responsible for handling the most difficult and complex cases that may involve the highest level of potential liability; and in the absence of the supervisor may be called upon to oversee and review the work of lower level litigation investigators.

■ FUNCTIONS

The examples of functions listed in the class specifications are representative but not necessarily exhaustive or descriptive of any one position in the classes. Management is not precluded from assigning other related functions not listed herein if such duties are a logical assignment for the position.

Essential Functions:

1. Conducts investigations for County Counsel attorneys in order to prepare evidence for litigation in general tort, juvenile dependency, and civil proceedings.
2. Obtains items of evidence by identifying and interviewing witnesses; performs skip tracing; performs surveillance; takes photographs; obtains and evaluates the authenticity of records.
3. Analyzes collected information, data, and items of evidence for completeness, adequacy, and relevance.
4. Makes recommendations to County Counsel attorneys pertaining to the evaluation of personal injury, property damage, and other factual issues relating to the County's liability exposure.
5. Makes recommendations relative to areas of formal discovery to be included in interrogatories and depositions.
6. Prepares written reports, documents, charts, and graphs in support of the results and findings of investigations.
7. Assists technical staff with the production and presentation of exhibits to be presented during trials.
8. Provides testimony on investigations during court and arbitration hearings and proceedings.
9. Provides responsive, high quality service to County employees, representatives of outside agencies and members of the public by providing accurate, complete and up-to-date information, in a courteous, efficient and timely manner.

Senior Litigation Investigator

Essential Functions:

All of the functions listed above and

1. May oversee, assign, train, and review, the work of other litigation investigators and provides them with technical consultation and guidance during the course of investigations.
2. Conducts special investigations that are sensitive, confidential, complex, and which may involve the highest level of potential liability.

■ **KNOWLEDGE, SKILLS, AND ABILITIES**

Knowledge of:

- Investigation methods and techniques used to collect evidence.
- Interviewing methods and techniques necessary to tactfully secure evidence or personal admissions.
- General basic rules of evidence and procedure applicable to civil litigation processes.
- Methods and techniques used to present evidence in legal proceedings.
- Laws applicable to public entity liability claims.
- Laws applicable to juvenile dependency.
- General liability, claims evaluation, and worker compensation laws.
- Accident reconstruction principles and methods.
- Techniques in obtaining clear and accurate photos.
- Medical terminology and methods used to evaluate medical conditions.
- Telephone, office, and online etiquette.
- County customer service objectives and strategies.
- Legal limitations on evidence collection, including Penal Code and other state laws establishing privileges and confidentiality of personal information and criminal justice histories.

Senior Litigation Investigator (in addition to the above):

- Methods and techniques used to oversee, train, and review the work of employees.

Skills and Abilities to:

- Gather, secure, assemble, analyze and evaluate facts and evidence to draw logical conclusions, and make sound recommendations.
- Conduct effective interviews with involved parties in order to obtain statements and personal admissions.
- Tactfully secure evidence and personal admissions when obtaining statements from witnesses.
- Exercise appropriate judgment in answering questions and releasing information; analyze and project consequences of decisions and/or recommendations.
- Provide effective assistance to attorneys in regard to the discovery aspects of civil litigation.
- Prioritize, organize workload, and complete a large number of work assignments that have strict timelines.
- Prepare investigative reports, factual recounts, correspondence, and documents in a clear, concise, detailed, and comprehensive manner.
- Communicate effectively and calmly with a variety of individuals representing diverse cultures and backgrounds and function efficiently in situations that require a high degree of sensitivity, tact and diplomacy.
- Establish effective working relationships with management, employees, employee representatives, representatives of outside agencies, and members of the public representing diverse cultures and backgrounds.
- Treat County employees, representatives of outside agencies, and members of the public with courtesy and respect.
- Assess the customer's immediate needs and ensure customer's receipt of needed services through personal service or referral.
- Recognize legal barriers to obtaining privileged or confidential information and to discern whether there may be alternative legal means of obtaining such information.

Senior Litigation Investigator (in addition to the above):

- Oversee, train, and review, the work of employees.

■ **EDUCATION/EXPERIENCE**

Education, training, and/or experience that demonstrate possession of the knowledge, skills and abilities listed above. Examples of qualifying education/experience are:

Litigation Investigator:

1. Three (3) years of full-time paid investigative experience involving civil litigation, juvenile dependency (involving defense investigative or civil liability), or public liability claims (involving bodily injury, personal injury claims, property damage, and traffic accidents), OR
2. Three (3) years of full-time paid experience involving investigative duties in any capacity as an employee for another public agency, OR
3. Three (3) years of full time paid experience as an insurance claims adjuster or as a licensed private investigator.

Senior Litigation Investigator:

1. Five (5) years of full time paid investigative experience involving civil litigation, juvenile dependency (involving defense investigative or civil liability), or public liability claims (involving bodily injury, personal injury claims, property damage, and traffic accidents), OR
2. Six (6) years of full time paid experience involving investigative duties in any capacity as an employee for a public agency, OR
3. Three (3) years of full time paid experience as an insurance claims adjuster or as a licensed private investigator, AND at least three (3) years full time paid experience performing investigative duties in any capacity as an employee of a public agency.

Notes: Possession of a bachelor's degree or higher from an accredited college or university for both classifications is highly desirable.

Senior Litigation Investigator: Experience in training, reviewing and overseeing the work of employees assigned to conduct pre-trial investigations and discovery in tort and civil litigation is highly desirable.

■ **ESSENTIAL PHYSICAL CHARACTERISTICS**

The physical characteristics described here are representative of those that must be met by an employee to successfully perform the essential functions of the classifications. Reasonable accommodation may be made to enable an individual with qualified disabilities to perform the essential functions of a job, on a case-by-case basis.

Continuous upward and downward flexion of the neck. Frequent: sitting, repetitive use of hands to operate computers, printers, copiers, telephones, and other office equipment. Occasional: Walking, standing, bending and twisting of neck, bending and twisting of waist, squatting, using both hands to perform simple grasping and pushing and pulling, reaching above and below shoulder level, lifting and carrying items weighing up to 10 pounds, and traversing rough terrain.

■ **SPECIAL NOTES, LICENSES, OR REQUIREMENTS**

License

A valid California class C driver's license, which must be maintained throughout employment in this class, is required at time of appointment, or the ability to arrange necessary and timely transportation for travel. Employees in this class may be required to use their own vehicle.

Certification/Registration

None required.

Working Conditions

Work primarily takes place in an office environment, although work frequently takes place in the field. Work involves frequent exposure to computer screens. Work involves traveling to locations within and outside of the county to perform investigations. Work involves occasional interaction with persons who are unreasonable, agitated, upset, hostile, potentially violent, and under the influence of alcohol or drugs.

Background Investigation

Must have a reputation for honesty and trustworthiness. Misdemeanor and/or felony convictions may be disqualifying depending on type, number, severity, and recency. Prior to appointment, candidates will be subject to a complete background investigation.

Probationary Period

Incumbents appointed to permanent positions in this class shall serve a probationary period of six months (Civil Service Rule 4.2.5).

New: August 10, 1977 (Class No. 003930)
New: October 16, 1986 (Class No. 003933)
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